

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JAMES "JIM" TOMASIK, J. DANIEL TOMASIK,
and LIBERTARIAN PARTY OF TENNESSEE,

....Plaintiffs,

v.

MARK GOINS, Coordinator of
Elections for the State of Tennessee; and
TRE HARGETT, Secretary of State
for the State of Tennessee,

....Defendants.

Case No. 3:13-01118
Judge Haynes

Indra
Based upon the
October 31, 2013 ruling
This motion is DENIED
as moot, due 11/5/13
Will [signature]
10-25-13

PLAINTIFFS' MOTION TO ASCERTAIN STATUS OF CASE

COME now the Plaintiffs herein, by and through their counsel of record, James C. Linger and W. Gary Blackburn, and move this Court, pursuant to LR 7.01(c), inquiring as to the status of the case at bar and to set a hearing in regard to Plaintiffs' Complaint (Doc. No. 1) filed herein on October 9, 2013, and Plaintiffs' Motion for Preliminary Injunction filed herein with supporting memorandum brief (Doc. Nos. 11 and 12), pursuant to Federal Rule of Civil Procedure 65(a), filed herein on October 15, 2013.

Reasons that this Court should consider an expedited hearing are as follows: On October 21, 2013, Senior United States District Judge John T. Nixon entered an order transferring the instant case to Chief Judge William J. Haynes, Jr., as per the order (Doc. No. 13) filed in the instant case on October 22, 2013, and received by Plaintiffs' Counsel on October 23, 2013. While the Special General Election referenced in the aforesaid Motion for Preliminary Judgment and Supporting Memorandum Brief (Docs. Nos. 11 and 12) will be held on November 21, 2013, Plaintiffs have been informed as of October 22, 2013, that early ballots have not yet been printed, but that early voting will begin in one week. For the reasons set forth in the Affidavit attached to